

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BASSEY NDEMENOH,

Plaintiff,

v.

VINCENT BOUDREAU, *et al.*,

Defendants.

20-CV-4492 (RA)

ORDER


RONNIE ABRAMS, United States District Judge:

On February 3, 2022, the seven Defendants named in the First Amended Complaint filed a letter motion seeking for the Second Amended Complaint to be dismissed both pursuant to Federal Rule of Civil Procedure 4(m) as to several of the new Defendants and pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute as to all Defendants. On February 7, the Court ordered that if Plaintiff wished to oppose the motion, he must do so by February 21. On February 23, Morena and Mozeleski, who have appeared and are represented by separate counsel, joined the original Defendants' motion. Plaintiff did not file an opposition, and on February 24, the original Defendants filed a letter seeking to have the Rule 4(m) and Rule 41(b) motions deemed unopposed. On March 7, the City of New York joined the February 3 and February 23 letter motions, and a day later it filed its own motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). The seven original Defendants, as well as Morena and Mozeleski, have subsequently renewed their motions in light of Plaintiff's counsel's continued failures to comply with the Court's deadlines.

It is hereby ORDERED that Plaintiff shall have until June 1, 2022 to respond to Defendants' Rule 4(m) and Rule 41(b) motions. Even if Plaintiff chooses not to respond, he must submit a letter informing the Court that he intends to proceed with this action. **If Plaintiff does not file a submission indicating his intent to pursue this action by June 1, 2022, this action will be dismissed for failure to prosecute pursuant to Rule 41(b).**

SO ORDERED.

Dated: May 18, 2022
New York, New York



RONNIE ABRAMS
United States District Judge